

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public services – Panchayat Raj and Rural Development Department – Allegations of misappropriation of funds in DRDA / DDP, Ananthapur District – Imposition of a punishment of 10% cut in pension, permanently, in respect of Sri Y. Murali Manohar, Superintending Engineer (Retd.), Panchayat Raj, Ananthapur District – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Ms.No. 45

Dated:13-2-2009.

Read the following:

1. Govt. Memo No.176/VS.I/A3/2001, dated 27.6.2003.
2. From Sri Y. Murali Manohar, SE, PR (Retd.), Ananthapur written Statement of Defence, Dt:24-10-2003.
3. G.O.Rt.No.626 PR & RD (Vig.II) Dept.,dt.25.3.04.
4. From Hon'ble A.P.A.T., Orders Dt:16-4-2007 in O.A.No.2707/04 filed by Sri Y. Murali Manohar, Superintending Engineer (Retd.).
5. From Smt. Chandana Khan, IAS, COI, D.O.Letter No.26/COI-CK/2004 Dated:6-8-2007.
6. Govt. Memo No.176/Vig.II/A1/2001- 35, P.R. & R.D. (Vig.II) Department, Dated:7-12-2007.
7. From Sri Y. Murali Manohar, SE, PR (Retd.), Ananthapur representation, Dated:9-1-2008
8. From Hon'ble High Court of A.P. Orders Dt:13-02-2008 in W.P.M.P.No.3187/2008 in W.P. No.2478/2008.
9. From Hon'ble High Court of A.P. Orders Dt:24-03-2008 in W.P. No.2478/2008.
10. Govt. Memo No.176/Vig.II/A1/2001- 40, P.R. & R.D. (Vig.II) Department, Dated:23-10-2008.
11. From Sri Y. Murali Manohar, SE, PR (Retd.), Ananthapur representation, Dated:6-11-2008.
12. Govt. Letter No.176/Vig.II/A1/2001-41, Dt:27-12-2008
13. From the Secretary, A.P. Public Service Commission, Hyderabad Lr. No.61/Rt-I/3/2007, Dated:5-2-2009.

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ORDER:

Disciplinary proceedings were initiated against Sri Y. Murali Manohar, Superintending Engineer (Retd.), Panchayat Raj and (6) others on the allegations of irregularities and misappropriation committed in utilization of DRDA/DDP funds in Ananthapur district during the year 1994-95 and 1996-97, vide reference 1st read above.

2. The Charged Officer submitted his written Statement of Defence, vide the reference 2nd read above. After examining the Written Statement of Defence of the Charged Officer along with others, the case was entrusted to the Commissionerate of Inquiries, General Administration Department, for detailed enquiry, in the matter, vide reference 3rd read above

(P.T.O)

3. The APAT, in O.A. No. 2707/04, filed by the Charged Officer, viz., Sri Y. Murali Manohar, Superintending Engineer (Retired), Panchayat Raj, ordered to conclude the disciplinary proceedings within three months time and, if not, they shall be deemed to have been closed and shall release all the pensionary benefits to the Charged Officer, vide reference 4th read above.

4. The Enquiry officer submitted her report, referred to in reference 5th read above; and, the Enquiry Officer in her report finally concluded, interalia, that, all the charges against C.O.-2, viz., Sri Y. Murali Manohar, Superintending Engineer (Retd.), were established.

5. While communicating the Enquiry report, the Charged Officer was directed to submit his representation, if any, on the Enquiry Report, vide reference 6th read above. The Charged Officer submitted his representation, vide reference 7th read above.

6. The Charged Officer, viz., Sri Y. Murali Manohar, Superintending Engineer (Retd.), filed C.A.No.463/07 for non-implementation of the APAT orders Dated:16-4-2007 in O.A.No.2707/2004; and, on that, Government have filed Writ Petition and the Hon'ble APHC in its orders Dt:13-02-2008 in W.P.M.P.No.3187/2008 in W.P.No.2478/2008 was pleased to grant stay of operation of the orders of A.P.A.T., Dt:16-4-07 in O.A.No.2707/2004, vide the reference 8th read above. The Hon'ble APHC in its orders Dated:24-3-2008 in W.P.No.2478 of 2008, directed the Government to pass final orders within a period of 4 weeks from the date of receipt of the orders; and, disposed the W.P, vide the reference 9th read above.

7. After examining the record and the representation of the individual, Government provisionally decided to impose a penalty of withholding 10% of pension, permanently, on the Charged Officer; and, accordingly, necessary show cause notice was issued to the Charged Officer, under Rule 9 of A.P Revised Pension Rules, 1980, vide reference 10th read above. The Charged Officer submitted his explanation, vide reference 11th read above.

8. Andhra Pradesh Public Service Commission was consulted in the matter, vide reference 12th read above. Andhra Pradesh Public Service Commission agreed and advised imposing a punishment of withholding 10% of pension, permanently, on the Charged Officer, vide reference 13th read above.

9. Government, after careful examination of the matter, and keeping in view the advice of the Andhra Pradesh Public Service Commission, hereby impose a penalty of 10% cut in pension, permanently, on the Charged Officer, viz., Sri Y. Murali Manohar, Superintending Engineer (Retd.), PR, Ananthapur District, for the misappropriation of funds in DRDA / DDP, Ananthapur District

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10. The Engineer-in-Chief, Panchayat Raj shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMACHANDRAN
SECRETARY TO GOVERNMENT

To

Sri Y. Murali Manohar, Superintending Engineer (Retd.), Panchayat Raj through Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad in duplicate with a request to obtain and furnish the dated acknowledgement of the orders.

Copy to:

The Accountant General, A.P., Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
(61/RT-1/3/2008)

The Secretary, A.P. Vigilance Commission, Hyderabad (1356/VC.G1/2003)
SF/SCs

// FORWARDED:: BY ORDER //

SECTION OFFICER